

### **REMARKS**

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-5 remain pending, claim 1 being independent. Claim 1 has been amended herein.

#### **Prior Art Rejection**

Claims 1-5 stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by U.S. Patent 5,771,355 to Kuzma (hereinafter "Kuzma"). This rejection, insofar as it may pertain to the presently pending claims, is respectfully traversed.

Independent claim 1 is directed to an image data management apparatus comprising: property information obtaining means for obtaining property information of an image data set to be managed; security processing method setting means for setting a security processing method for each of items of the property information; security processing means for carrying out security processing on each of the items of the property information according to the security processing method that has been set; attachment means for attaching the property information having been subjected to the security processing to the image data set; and image data storage means for storing the image data set attached with the property information. As amended, claim 1 specifies that the property information obtaining means includes at least one of image analysis means for obtaining the property information of the image data set by analyzing the image data set and input means for inputting items constituting the property information, the input means being used by a user to input the items of the property information. Support for this amended claim feature can be found at least at page 5, lines 11-19 of the specification.

According to an aspect of the disclosed embodiments, property information is associated with image data sets and may be used to search and view such image data (e.g., photographs). Property information may include items that are accessible to other users (e.g., date of photography, color information, parameter for automatic set-up processing) and other items that may be restricted/secure (e.g., identity of person in photograph, photograph location). Certain property information items may be obtained automatically by analyzing image data sets, while other property information items (e.g., identity of person in an image) may be input by the user.

Page 24, lines 3-13. The present invention provides “security processing” for such property information items prior to attachment of property information items to an image data set. For example, the user may select security for certain property information items, such that such secure property information items are not attached to the image data set accessible by other users. See e.g., Page 24, line 18 – Page 25, line 8; Page 30, lines 20-24.

Kuzma discloses a system for transmitting electronic mail with attachments in a computer network. See e.g., Abstract. According to an embodiment disclosed by Kuzma at col. 5, lines 6-18:

*the e-mail message 401 is transmitted along with a relatively small attachment reference 402, instead of actually transmitting the entire attachment file along with e-mail message 401 as is done in prior art e-mail systems. Thus, instead of transmitting the attachment by value, the attachment is transmitted "by reference." As will be appreciated, attachment reference 402 comprises a pointer 410 that points to the actual location of the attachment 420. In a preferred embodiment, this location of the attachment 420 is typically a storage medium relatively local to the sending user so that fewer network resources are utilized in transmitting and storing the attachment, especially if a recipient does not actually require the attachment.*

Applicants respectfully submit, however, that this email attachment function of Kuzma is unrelated the image data management apparatus as claimed, in which image data property information items are obtained by analyzing an image data set and/or input by a user and subjected to security processing prior to attachment to the image data set. Neither the email attachments nor any attachment property information specified in Kuzma relates to such image data property items as claimed. If this rejection is maintained despite the claim amendments and Remarks presented herein, Applicant respectfully requests that the Examiner specifically cite to the portion/feature of the Kuzma reference that is being relied on to support the rejection. See MPEP § 707; 37 C.F.R. §1.104(c)(2).

According to MPEP § 2131, “a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051

(Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claims." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913 (Fed. Cir. 1989).

At least in view of the above, Applicant respectfully submits that Kuzma fails to anticipate claim 1, or any claim depending there from. Consequently, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b).

### Conclusion

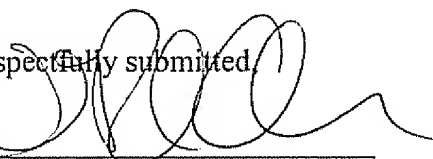
In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact D. Richard Anderson, Reg. No. 40,439 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a three (3) month extension of time for filing a response in connection with the present application and the required fee of \$1,020.00 is attached herewith.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: March 30, 2007

Respectfully submitted,  


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